



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 - 46

EXTENSION OF EXECUTIVE ORDER NO. KBB 2005-34 EMERGENCY SUSPENSION OF CERTAIN UNEMPLOYMENT INSURANCE LAWS

WHEREAS, Executive Order No. KBB 2005-34, issued on September 12, 2005, suspended La. R.S. 23:1553, 23:1541, 23:1600(2) and (3), and 23:1601(1), (2), and (7) as a result of Hurricane Katrina's aftermath and the extreme volume of unemployment claims which needed to be processed timely and fairly;

WHEREAS, Executive Order No. KBB 2005-34 is in effect until September 25, 2005; and

WHEREAS, the secretary of Department of Labor has indicated that it is necessary that Executive Order No. KBB 2005-34 be extended;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 1 of Executive Order No. KBB 2005-34, issued on September 12, 2005, is amended as follows:

- A. The following statutes relative to unemployment insurance are hereby suspended during the state of emergency until Sunday, October 23, 2005, unless extended by subsequent executive order:
1. R.S. 23:1541 and 1553 which provide for a claimant benefits to be charged against a base period employer for purposes of that employer's tax experience rating and the protesting of such charges by employer. All such benefit charges shall be against the social charge tax rate and not against a specific employer.
 2. R.S. 23:1600(2) and (3) which require that claimants register for work and conduct work search activities. Work registration and search activities are not practical for claimants without fixed temporary or permanent housing and verification of such activities is not practical in the many areas that continue to have communication challenges. Claimants otherwise eligible, shall be eligible notwithstanding the requirement to register for work and to conduct a work search.
 3. R.S. 23:1601(1), (2) and (7) which provide certain disqualifications for otherwise eligible claimants. Such disqualification include reasons for separation, including a substantial change in employment by the employer or intentional misconduct connected with employment by the employee and offsets for receipt of other benefits. Many separations are the direct result of the damage and destruction from Hurricane Katrina and its aftermath and not the fault of either the employer or the claimant. Also, calculation of offsets for benefits would unduly delay payment, given the volume of claims and the volume of employers without access to their personnel files. Eligible claimants shall not be disqualified based on the above identified Paragraphs.
- B. The suspension of laws provided in Subsection A of this Section shall only apply to a claimant who, on August 29, 2005, resided or was employed in any of the following parishes: Acadia, Ascension, Assumption, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson,

Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Pointe Coupee, Plaquemines, St. Bernard, St. Charles, St. Helena, St. James, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge and West Feliciana.

SECTION 2:

This Order is effective upon signature and shall continue in effect until Sunday, October 23, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to such time.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 23rd day of September, 2005.

/S/ Kathleen Babineaux Blanco
GOVERNOR OF LOUISIANA

**ATTEST BY
THE GOVERNOR**

/S/ Al Ater
SECRETARY OF STATE